IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 23262 of 2007(T)

PETITIONER:

KUNHALANKUTTY, S/O.SAIDALI, KOTT,
TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI

RESPONDENTS:
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1. DEPUTY SUPERINTENDENT OF POLICE, TIRUR.

2. SUB INSPECTOR OF POLICE, TIRUR.

3. THE SECRETARY,
TIRUR MUNICIPALITY, TIRUR.

4. KIZHAKKAMKUNNATHU MOHAMMED ALI,
S/O.MAMMU MASTER, KOTT, TIRUR,
MALAPPURAM DISTRICT.

5. MAVUMKUNNATHU HAMZA, S/O.POKKER,
KOTT, TIRUR, MALAPPURAM DISTRICT.

BY GOVT. PLEADER P.A SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

Ext.P1: True copy of the registered release deed dated 3-3-1987 executed by Kunhikadiya Umma in favour of the petitioner

Ext.P2: True copy of the order of the Munsiff Court,Tirur in I.A. 488/2000 in O.S 56 of 2000, dated 5-9-2000

Ext.P3: True copy of the building permit granted by Tirur Municipality dated 16-10-2000

Ext.P4: True copy of the plan submitted by the petitioner before Tirur Municipality dated Nil

Ext.P5: True copy of the complaint filed by the petitioner on 8-7-2007 before the 2nd respondent

Ext.P6: True copy of the representation submitted by the petitioner before the Municipality dated 18-7-2007.

Ext.P7: True copy of the petitioner filed a complaint before the 1st respondent on 25-7-2007.

//True copy//

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K.BALAKRISHNAN NAIR & HARUN-UL-RASHID, JJ.

WPC NO.23262 OF 2007-T

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, seeking the following reliefs :

> *"a) to issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents 1 and 2 to give necessary and adequate protection to the life and the property of the petitioner and his family members.*
>
> *b) to issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents 1 and 2 to take immediate and effective action on Exhibits P5 and P7 complaints and also on the complaint filed by the petitioner on 29.07.2007."*

He has filed Exts.P5 and P7 representations praying for protection to him and his family members and also to construct a portion of compound wall of his property, which was damaged by some miscreants on the night of 07.07.2007. The learned Government Pleader upon instruction submitted that the dispute between the petitioner and respondents 4 and 5 has already been settled on

mutual negotiation. In view of the above position, the Writ Petition is closed. If any cause of action arises in future, the petitioner will be free to move the Police for appropriate reliefs.

K.BALAKRISHNAN NAIR,JUDGE

16.08.2007 **HARUN-UL-RASHID, JUDGE**

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